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erty is so taken, used, or appropriated may appeal to the court of common pleas of the county and demand a trial by jury. Any party interested therein may, within 30 days after final decree, have an appeal to the superior or the supreme court. If no exceptions are filed or no demand made for trial by jury within the said 30 days after the filing of said report, the same shall become absolute. The court may order what notices shall be given in connection with any part of said proceedings, and may make all such orders as it may deem requisite.

SEC. 7. The board of view provided for in this act may be appointed before or at any time after the entry, taking, or appropriation of any property to be used for the purpose aforesaid. They shall have power to administer oaths and adjourn their hearings from day to day as they may find necessary.

SEC. 8. The costs of the board of view, and all court costs incurred in the proceedings, including advertising and printing and posting notices, shall be defrayed by the township.

SEC. 9. All damages, when determined, shall be assessed against and paid by the township so taking, injuring, or destroying the property as aforesaid.

Sewers Constructed at Public Expense—Property Abutting—Boroughs Authorized to Collect Annual Assessment From. (Act May 11, 1915.)

SECTION 1. That whenever any borough of the Commonwealth of Pennsylvania has heretofore constructed, or shall hereafter construct, any sewer or sewer system, at public expense, the council of the said borough may provide by ordinance for the collection of an annual rental or charge, for the use of such sewer or sewer system, from the owners of property served by it. Such annual rental or charge shall be authorized and collected as provided by general ordinances, and when so levied and charged shall be a lien on the properties charged, and the collection thereof shall be made and enforced in the manner borough taxes are now collected.

SEC. 2. The councils of said boroughs shall execute a warrant, or warrants, authorizing the collection of the said annual sewer rentals or charges, to the officer employed by council to collect the same, and the officer collecting the said rentals shall have the authority now vested by law in collection of borough taxes.

SEC. 3. The said annual sewer rentals or charges shall be a lien on the properties charged with the payment thereof, from the date set in the said ordinance, and if not paid after 30 days' notice may be collected by an action in assumpsit, in the name of the borough, against the owner of the property charged, or by distress of personal property on the premises, or by a lien filed in the nature of a tax lien.

SEC. 4. The said annual rental, so to be levied and charged as herein provided, shall not exceed the amount expended annually by the said boroughs in the maintenance, repair, alteration, inspection, or other expense in relation thereto, and may include any interest on money expended by the said borough in the construction of the said sewer or sewer system. The said annual sum shall be apportioned equitably among the several properties served by the said sewers.

Sewers and Sewage-Disposal Plants in Counties—Construction and Maintenance—Connections with. Sewer Districts. (Act June 5, 1915.)

SECTION 1. That the several counties of this Commonwealth shall have the power, and they are hereby authorized, whenever the commissioners, or a majority of them, shall, by resolution duly adopted, deem it expedient so to do, and

upon approval thereof by a grand jury and by the court of quarter sessions as hereinafter provided, to construct and maintain main, or trunk, sanitary sewers, and sewerage-disposal [sic] plants, under the provisions of this act; and any such main, or trunk, sewers, or disposal plants, constructed under the provisions of this act, shall forever thereafter be county sewers and disposal plants; and the duty of maintaining, operating, and keeping the same in repair shall devolve upon the county, and the expense thereof shall be paid by the county as hereinafter provided.

SEC. 2. That the several courts of quarter sessions of this Commonwealth shall have authority, within their respective counties, to establish sewer districts in their several counties, or to decree that the said county shall form one or more sewerage districts, having respect to the topography of the county and the course of natural drainage, upon application of the county commissioners, or upon petition of 50 freeholders resident in the locality for which a sewer district is prayed for; and upon the presentation of such petition the court shall appoint three viewers—for whom the county engineer shall act as artist—to inquire into the propriety of granting the prayer of the petition, whose duty shall be to investigate the same and make a plan or draft showing the boundaries of sewer districts formed, and report at a date to be fixed by said court; at which time, or any subsequent time to which said return day may be extended by the court, said report shall be filed and confined nisi by the court; and notice of said filing, and that exceptions may be filed to said report within 30 days after said confirmation nisi, shall be published in one or more newspapers of the county, as the court may designate, once a week for four weeks; and if exceptions be filed upon hearing thereof, said court may modify or change said report, or readjust the boundary lines thereof, or refer the same back to the same or other viewers; and if no sufficient cause be shown to the contrary, said report shall be approved absolutely, and said district or districts so formed shall comprise separate sewerage districts of said county, and be designated by number.

SEC. 3. Whenever the commissioners of any county of this Commonwealth shall resolve to construct any such main or trunk sewers or sewerage-disposal plants in accordance with the provisions of this act, they shall cause to be prepared surveys and plans of such main or trunk sewers or disposal plants showing the location, termini, size, depth, and type of construction of such sewer or sewers, and the location, size, and type of construction of such disposal plants, together with the properties and the names of the owners thereof through which said sewer or sewers extend, or upon which the same abuts, and the properties and names of the owners of the land upon which such disposal plants are to be located or upon which the same abuts, together with an estimate of the cost and expense of the same. The plans and estimates shall show the location and capacity of any main or trunk sanitary sewer or sewers or sewerage-disposal plant, either completed or in course of construction, together with the cost or probable cost thereof. The estimates shall provide for and make such allowance or rebate to the municipality or municipalities which shall have paid, assumed, or contracted for the cost of such main or trunk sanitary sewer or sewers or disposal plants as shall be agreed upon between the county and the municipality or municipalities interested; and, in the event of failure so to agree, the allowance or rebate shall be determined by the court of common pleas of the proper county upon application of either party. The county commissioners shall, thereupon, present such surveys, plans, and estimates, or a copy thereof, together with their petition, to the court of quarter sessions of the county, and, upon filing thereof, the court shall direct notice to be given of the same, substantially describing the line of the proposed sewer

or sewers and the location of the proposed disposal plants by publication, at least once a week for three consecutive weeks, in at least two newspapers of general circulation published in the county wherein said proposed sewers or disposal plants are to be made or constructed, and of the time when said application will be laid before the grand jury; and, after publication as aforesaid, the said court shall cause the said application to be laid before the grand jury, when in session; and if a majority of said grand jury, after a full investigation of the matter by the grand jury, shall approve the same, they shall certify their approval to the court; whereupon the court shall fix such time for filing exceptions to said proceedings as the court shall deem proper, and upon hearing thereof the said court may, for a cause shown, disallow such application; but, if no sufficient cause be shown to the contrary, said application shall be approved; and said court shall, thereupon, order that said sewers or sewerage-disposal plants shall be made and constructed in accordance with the plans and surveys accompanying the said application; and thereupon the location of such sewers and sewerage-disposal plants shall remain absolute.

SEC. 4. After such plans and specifications have been prepared by said county commissioners and before presentation thereof to the court or grand jury, as provided for in section 3 of this act, they shall be submitted to the State department of health; and approval by said State department of health of the same shall be first had in accordance with the act of assembly of April 22, 1905, entitled "An act to preserve the purity of the waters of the State for the protection of the public health."

SEC. 5. For the purpose of making all necessary preliminary surveys in order to prepare such plans, surveys, and estimates, the commissioners of the several counties of this Commonwealth, and the persons by them employed for such purposes, shall, and are hereby given the right to, enter upon private or public property and designate, by proper marks upon the ground, the line or location of any sewer or disposal plant proposed to be made and constructed under and for the purpose authorized in this act.

SEC. 6. When said application, surveys, and plans shall have been finally approved by such court, and said sewer or disposal plant ordered to be constructed as aforesaid, the said county commissioners, or a majority of them, shall endeavor to agree with the persons or parties interested in the properties affected thereby as to the damages, if any, sustained, or which seem likely to be sustained, by reason of the taking, injuring, or destroying such property; and upon agreement being made, the said commissioners shall report the same to such court, showing the amount of damages agreed to be paid and the names of the persons or parties to whom the same are payable; and upon the approval thereof by such court, the said damages shall be payable by said commissioners out of the moneys specifically raised for such purposes in the manner herein-after provided.

SEC. 7. In case the said commissioners, or a majority of them, and the parties interested in the land upon which such sewers or disposal plants shall or are to be made and constructed as aforesaid fail to agree upon the compensation to be made for the property so taken, injured, or destroyed by reason of such sewer or disposal plant, then, upon petition of such commissioners, or a majority of them, or any person or parties interested in said proposed sewer or disposal plant, and whose property or land is affected thereby, to a court of common pleas of said county, the said court of common pleas shall appoint three disinterested viewers, and appoint a time, not less than 20 nor more than 30 days thereafter, when said viewers shall meet upon the line of the proposed sewers or disposal plants and view the same and the properties affected thereby. The said viewers

shall give at least 10 days' notice by publication in the newspapers aforesaid of the time and place of their first meeting, and shall also give notice thereof by handbills posted in conspicuous places along the line or in the vicinity of the said sewers or disposal plants.

SEC. 8. The said viewers, having been sworn or affirmed faithfully, justly, and impartially to decide and true report make concerning all matters and things to be submitted to them, and in relation to which they are authorized to inquire under the provisions of this act; and, having viewed the properites connected with and affected by the said proposed sewers or disposal plants, shall hear all parties interested and their witnesses; and, having due regard to the advantages and disadvantages, shall estimate and determine the damages, if any, for the property taken, used, or appropriated, and to whom the same are payable; they shall give at least 10 days' notice thereof, in the manner herein provided, to all parties interested, of the time and place when said viewers will meet and exhibit their report and hear any exceptions thereto; after making whatever changes are deemed necessary and proper, said viewers shall make report to the said court, showing the damages, if any, allowed; and file therewith a plan showing the properties acquired, taken, used, and appropriated for the purposes aforesaid, and the names of the persons or parties to whom such damages are payable. The said viewers shall have the right to adjourn from day to day, as may be found necessary, and to administer oaths to all parties and witnesses appearing before them and desiring to be heard upon all matters connected with the construction, maintenance, and operation of such sewers or disposal plants.

SEC. 9. All damages found, awarded, or sustained for, or on account of, the construction and operation of such sewers, or disposal plants under the provisions of this act, and all cost and expense thereafter incurred in repairing and maintaining the same, shall be paid from the funds raised by taxation, as hereinafter provided and authorized.

SEC. 10. The viewers provided for in the foregoing sections may be appointed before, or at any time after, the entry, taking, appropriation, or injury of any private property used and acquired in the construction of such sewers or disposal plants. The cost of the said viewers, and of court charges incurred, including all advertising and notices, shall be paid by the said county.

SEC. 11. Upon the report of said viewers, or a majority of them, being filed in said court, any party in interest may, within 30 days thereafter, file exceptions to the same; and the court shall have the power to confirm said report, or to modify, change, or otherwise correct and amend the same, or refer the same back to the same or new viewers, with like power as to their report; or, within 30 days after the filing of any report in court, the county commissioners, on behalf of the county or any party whose property is taken, injured, or destroyed, may appeal therefrom and demand a trial by jury; and any party so interested may, within 30 days after final decree and confirmation of said report by said court, have an appeal to the supreme or superior court. That said court of common pleas shall have power to order and direct what notices shall be given in connection with any part of said proceedings, and make such orders as it may deem requisite in the premises. For the purposes of this act it shall be lawful for the majority of said board of viewers to hear, determine, pass upon, and report all matters in this act relating to said viewers; but all said viewers shall act unless prevented by sickness or other unavoidable cause.

SEC. 12. After said surveys and plans and the aforesaid application to the court of quarter sessions shall have been approved by the court, and the said sewers or disposal plants, as decreed by said court, ordered to be made and

constructed in accordance therewith, the commissioners, or a majority of them, of the respective counties wherein the said sewers or disposal plants are made or to be made and constructed, shall invite proposals for the making and constructing of the same, by publication in at least two newspapers of general circulation published in said county; or, if no newspapers be published in said county, then in a newspaper or newspapers published in the county adjoining, once a week for four consecutive weeks, fixing a time therein when such proposals will be opened and the contracts therefor awarded; in addition to the notices so ordered to be given by publication, there shall be posted, in the office of the said commissioners of the respective counties, like notice as those now give, inviting proposals for the construction and repair of public roads and bridges; the contract, as aforesaid, shall be awarded by the said county commissioners, or a majority of them, to the lowest responsible bidder. No contract shall be awarded for any of said sewers or disposal plants until proper bonds shall be given for the faithful performance thereof, by the person or persons to whom the same shall be awarded, with proper security to be approved by said commissioners, or a majority of them. Any incorporated company doing business within any of said counties, authorized by law to be surety for persons or corporations, may be taken and accepted as surety upon the bonds herein required to be given.

SEC. 13. Said commissioners shall have prepared plans and estimates, as often as required, for the repair and maintenance of all county sewers, or disposal plants which may hereafter be constructed under the provisions of this act, and become county sewers or disposal plants in their respective counties; they shall invite proposals for the repairing and maintenance of such sewer or disposal plants, or parts thereof, in accordance with such plans and estimates, and award the contract therefor in like manner as contracts for new sewers and disposal plants.

SEC. 14. For the purpose of performing all necessary duties relating to the construction and repairs of county sewers and disposal plants, herein authorized, the said county commissioners, or a majority of them, of the several counties of this Commonwealth, are hereby authorized to employ or appoint proper persons to prepare such surveys, plans and estimates, and do all necessary and proper work connected therewith, and shall fix the compensation of all persons so employed.

SEC. 15. The said commissioners, or a majority of them, of the several counties of this Commonwealth, are hereby authorized to levy, assess, and collect an annual tax of not more than 2 mills upon the dollar upon all real and personal property within said county, now or hereafter taxable for county purposes, where the court has decreed that the entire county shall form one sewer district, for the purpose of acquiring and securing a fund from which to pay all costs, damages, and expenses required in the locating, construction, maintaining, repairing, and operating of such county sewers or disposal plants made or constructed under the provisions of this act, and for taking, using, and enjoying of such land as may be necessary in constructing same; and the money so raised shall not be used or expended for any other purpose than that named in this section. Where one or more sewer districts has been formed by the court, under the provisions of this act, in any county, and the county does not comprise one entire sewer district, and county sewers or disposal plants are constructed, under the provisions of this act, to accommodate a particular sewer district of said county, the said commissioners, or a majority of them, of such counties are hereby authorized to have prepared separate copies of the assessed

value, for county purposes, of the properties located within the sewer district wherein, or for whose use, such sewer or disposal plant has been constructed; and to levy, assess, and collect an annual tax of not more than 2 mills upon the dollar upon all real and personal property within said sewer district, now or hereafter taxable for county purposes, for the purpose of acquiring and securing a fund from which to pay all costs, damages, and expenses required in the locating, constructing, maintaining, and operating of such county sewer or disposal plant, in, or for the benefit of, said sewer district; and the money so raised shall not be used, or expended, for any other purpose than that named in this section, and shall not be expended or used for any other sewer district. All warrants for the payment of any portion of the money raised for the purposes aforesaid shall be issued by the said commissioners, or a majority of them, in the manner now provided by law in the several counties, upon estimates which shall be made from time to time, by the person charged with such duty; and the amount, and time within which the same shall be paid, shall be fixed and determined in the contract made for the public work herein authorized.

SEC. 16. Should any board of county commissioners, in the exercise of the powers herein conferred, deem it necessary or advisable to enter upon a highway or highways in any city, borough, or township for the purpose of constructing or maintaining any such main, or trunk, sewer or sewers, or disposal plants, the consent thereto of such city, borough, or township shall first be had and obtained.

SEC. 17. All main, or trunk, sewers constructed under this act shall be of sufficient size and extent so that it shall not be burdensome upon any city, borough, or township which is wholly or partly within the sewer district in which said main, or trunk, sewer is constructed, to connect its lateral sewers with said main, or trunk, sewer, constructed under the provisions of this act; and a copy of the notice provided for under section 3 of this act shall be served upon the mayor, burgess, commissioners, or supervisors of such city, borough, or township forming any part of such sewer district, 10 days before said application shall be laid before the grand jury; and any such city, borough, or township shall have a right to be heard by said grand jury, and to file exceptions to said proceedings; and the approval of said application by the grand jury and by the court shall be a conclusive finding that the said main sewers, proposed to be constructed under said proceeding, are of sufficient size and extent, so that the connection thereto by any such city, borough, or township will not be burdensome upon said city, borough, or township.

SEC. 18. After the construction of such main, or trunk, sewer, any city, borough, or township shall have the right, free of charge, to connect with said main, or trunk, sewer, by laterals, all sanitary sewerage of the sewer district in which said main, or trunk, sewer, is located, or for the use of which the same has been constructed; but all such connections shall be made under the supervision of the county engineer, and in the manner prescribed by the county commissioners.

SEC. 19. Any owner of property abutting on said main, or trunk, sewer shall have the right, free of charge, to connect, by lateral sewers, all sanitary sewerage of his said property within said sewer district; but such connections shall be made under the supervision of the county engineer, and in the manner prescribed by the county commissioners.

SEC. 20. Wherever any main, or trunk, sewer, or portion thereof, or sewerage-disposal plant, constructed under the provisions of this act, is used for the carrying or disposal of sewerage from two or more sewer districts, the cost,

damages, and expenses of locating, constructing, maintaining, repairing, and operating the same shall be borne by all sewer districts so using said main sewer, or portion thereof, or disposal plant, in proportion to their annual assessed taxable valuation for county purposes; but no sewer district shall be taxed for any main, or trunk, sewer, or portion thereof, or disposal plant, until said district has been accommodated with a main, or trunk, sewer, constructed under the provisions of this act, so that connections therewith can be made in said sewer districts without expenses burdensome upon cities, boroughs, or townships forming said sewer district.

SEC. 21. Whenever, in the location or construction of any such county sewers, it shall be deemed desirable to connect with and use any main or trunk sewer or portion thereof of any city, borough, or township it shall be lawful for the commissioners of the county, subject to the approval of the court of quarter sessions, to agree with such city, borough, or township for the use and repair and maintenance of such sewer or sewers or portions thereof, and what compensation shall be paid therefor or in what proportions the cost of maintenance and repairs shall be borne.

Nurses—Registration—Certificate—Duplicate to be Filed in Office of State Commissioner of Health. (Act June 4, 1915.)

SEC. 1. That section 4 of the act, entitled "An act to provide for State registration of nurses, to establish a State board of examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration," approved the 1st day of May, 1909, which reads as follows:

"SEC. 4. The secretary, immediately upon the registration of every nurse, shall file in the office of the secretary of the Commonwealth, under the seal of the said board of examiners, an exact counterpart of the certificate issued to the holder thereof; and said counterpart shall be filed and indexed in the office of the secretary of the Commonwealth and kept by him for public inspection and information. If the secretary of the board neglect to file said counterpart, as aforesaid, for more than 20 days from the date of issue of the corresponding certificate, unless prevented therefrom by sickness or other unavoidable inability, the said secretary shall be held guilty of a breach of duty and shall forfeit his or her membership and his or her offices in the said board of examiners," is hereby amended to read as follows:

SEC. 4. The secretary, immediately upon the registration of every nurse, shall file in the office of the *State commissioner of health*, under the seal of the said board of examiners, an exact counterpart of the certificate issued to the holder thereof; and said counterpart shall be filed and indexed in the office of the *State commissioner of health*, and kept by him for public inspection and information. If the secretary of the board neglect to file said counterpart, as aforesaid, for more than 20 days from the date of issue of the corresponding certificate, unless prevented therefrom by sickness or other unavoidable inability, the said secretary shall be held guilty of a breach of duty and shall forfeit his or her membership and his or her offices in the said board of examiners.

The nurses' registration records now in the office of the secretary of the Commonwealth shall, upon the approval of this amendment, be transferred to the office of the commissioner of health.

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